



CASE REPORT

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| 1. Complaint reference number | 53/01 |
| 2. Advertiser | Mark Nevill, Independent Candidate, WA State Election |
| 3. Product | Other |
| 4. Type of advertisement | TV |
| 5. Nature of complaint | Discrimination or vilification Other – section 2.1 |
| 6. Date of determination | Tuesday, 13 March 2001 |
| 7. DETERMINATION | Dismissed |

DESCRIPTION OF THE ADVERTISEMENT

The television advertisement comprises a series of shots of Aboriginal children in a variety of settings. The voiceover script includes the following, ‘Let’s face it. Education’s gone backward under Liberal and Labor. Truancy is the major problem (visual of Aboriginal boy walking along a road), but no-one’s prepared to face up to it. Many Aboriginal children have trouble reading and writing, can’t cope with jobs and end up in prison. Talk about a “stolen generation”. It’s the education of two generations of Aboriginal children that’s been stolen. Let’s get serious and tie social security benefits to school attendance.’ The advertisement draws to a close with a shot of the Independent candidate walking along and a male voiceover says, ‘On election day, Vote 1 for Mark Nevill, your Independent member of Parliament.’

THE COMPLAINT

Comments which the complainant made regarding this advertisement included the following:

‘I found the advertisement...very offensive to Aboriginal people.’

THE DETERMINATION

The Advertising Standards Board (‘the Board’) considered whether this advertisement breaches Section 2 of the AANA Advertiser Code of Ethics (‘the Code’).

The Board, noting that its role was to adjudicate on the content of the advertisement and not on the policies espoused by the candidate, was of the view that the material within the advertisement did not go so far as to constitute discrimination or vilification. The Board determined that the advertisement did not breach the Code on these or any other grounds and, accordingly, dismissed the complaint.